

ORDER OF THE STATE PERSONNEL BOARD

HUBERT BARTON,

Complainant,

vs.

DEPARTMENT OF PUBLIC SAFETY, COLORADO STATE PATROL,

Respondent.

The State Personnel Board (the "Board") met in public session on Tuesday, February 18, 2003. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge
2. Notice of Settlement
3. Motion for Return of Exhibits and Sealing of Record
4. Order

The Board voted: (1) to grant Complainant's request for the return of exhibits but only after dismissal and time for appeal has passed and the parties have filed a joint motion requesting return of exhibits; and (2) to deny Complainant's request to seal the record.

This order represents the affirmative vote of the following Board members: Ms. Garcia, Ms. Salkind, Ms. Siderius, Ms. Lottner, and Mr. Zakhem.

Dated this _____ day of
February, 2003.

John Zakhem
Acting Board Chair
State Personnel Board
1120 Lincoln Street, Suite 1420
Denver, CO 80203

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S. (2002), as provided in Section 24-50-125.4(3), C.R.S. (2002).

In the event the decision is appealed, the Board requests that a copy of the Notice of Appeal filed with the Court of Appeals also be filed with the State Personnel Board at: 1120 Lincoln Street, Suite 1420, Denver, CO 80203. Such will aide in the timely preparation of the record.

CERTIFICATE OF MAILING

This is to certify that on the _____ day of February, 2003, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

William S. Finger, Esq.
Mark W. Gerganoff, Esq.
Frank & Finger, P.C.
29025 D Upper Bear Creek Road
P.O. Box 1477
Evergreen, CO 80437-1477

And in the interagency mail, addressed as follows:

John August Lizza
Assistant Attorney General
Criminal Justice Section
1525 Sherman Street, 5th Floor
Denver, CO 80203
